

United States District Court
for
the District of Nevada

**REQUEST FOR MODIFICATION
TO CONDITIONS OF SUPERVISION WITH CONSENT OF OFFENDER**
Probation Form 49 (Waiver of Hearing) is Attached
October 11, 2024

Name of Offender: **Aquail Jamar Harris**

Case Number: **2:17CR00160**

Name of Sentencing Judicial Officer: **Honorable Jennifer A. Dorsey**

Date of Original Sentence: **June 15, 2018**

Original Offense: **Possession of a Firearm in Furtherance of a Crime of Violence**

Original Sentence: **60 Months prison, followed by 60 Months TSR.**

Date Supervision Commenced: **January 26, 2023**

PETITIONING THE COURT

☒ To modify the conditions of supervision as follows:

Community Service – You must complete 24 hours of community service within 45 days. The probation officer will supervise the participation in the program by approving the program (agency, location, frequency of participation, etc.). You must provide written verification of completed hours to the probation officer.

CAUSE

On June 05, 2018, Harris was sentenced by the Honorable Judge Jennifer Dorsey to 5 years custody to run consecutive to the revocation sentence in case 2:13-cr-00427 with five years of supervised release to follow for committing the offense of Possession of a Firearm in Furtherance of a Crime of Violence. Supervision commenced in the District of Nevada on January 26, 2023.

By way of case history, on July 27, 2023, our office reached out to Your Honor to make you aware of issues of non-compliance regarding required drug testing. At the time, Mr. Harris failed to report for drug testing on four separate occasions. Mr. Harris was verbally admonished and informed that further failures to appear for testing would result in a punitive action.

RE: Aquail Jamar Harris

Prob12B
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Rev. June 2014

On August 6, 2024, the undersigned reached out to your Honor to inform the Court of a positive drug test for cocaine. Harris took accountability for his relapse and admitted to his mistake. Harris was reenrolled in drug testing and referred to a third-party clinician to address the underlying reasoning for his relapse.

On August 19, 2024, Harris was assessed by the third-party treatment provider and recommended to complete weekly individual substance abuse sessions and weekly group therapy sessions for recovering addicts. To date, Harris has participated in therapy and seems to be prioritizing his treatment. The clinician reports that Harris is accountable and honest regarding his struggle with substance abuse.

On October 4, 2024, Harris failed to report for drug testing at the third-party test facility. The undersigned instructed Harris report to the probation office on October 7, 2024, to make up his missed urine analysis. Harris reported and tested positive for cocaine, initially Harris did not admit to his mistake and was instructed to sit in the lobby. While seated in the lobby, Harris reached out to the undersigned by way of text message and admitted to using cocaine. Harris signed an admission form and seemed sincerely upset with his choices. Harris informed the undersigned that his life is overwhelming and that he needs a break. The undersigned admonished Harris and informed him that she would consider an appropriate course of action regarding the drug use.

The undersigned informed Harris that his drug testing would be increased and that he would need to discuss the relapse with his clinician. On October 11, 2024, the undersigned spoke with Harris' clinician who informed probation that Harris was transparent and took accountability for his actions. The clinician also reported that Harris was overwhelmed by life and wanted a break, possibly a short trip with his family. The probation officer suggested to the clinician that both parties agree to incentivize Harris with the possibility to travel if he continued to make a good faith effort to adhere to expectations and to complete a sanction of community service work.

Harris was presented with a Waiver of Hearing (Prob 49) to address the violation conduct. Harris was informed that he would need to complete 24 hours of community service within 45 days. As witnessed by his signature, Harris agrees to the modification. With this modification coupled with the incentive; the undersigned is hopeful that Harris will use the opportunity as motivation to adhere with conditions of supervision. Should your Honor be desirous of an alternative course of action, or should the Court have any questions regarding this matter, the undersigned is available at your convenience.

Respectfully submitted,

Amanda Stevens
United States Probation Officer

Approved:


RE: Aquail Jamar Harris

Prob12B
D/NV Form
Rev. June 2014

Steve M Goldner
Supervisory United States Probation Officer

THE COURT ORDERS

- ☐ No Action.
- ☐ The extension of supervision as noted above.
- XX The modification of conditions as noted above
- ☐ Other (please include Judicial Officer instructions below):



Signature of Judicial Officer

10/28/2024

Date

UNITED STATES DISTRICT COURT


District of Nevada

Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision


I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

Community Service – You must complete 24 hours of community service within 45 days. The probation officer will supervise the participation in the program by approving the program (agency, location, frequency of participation, etc.). You must provide written verification of completed hours to the probation officer.

Witness  Digitally signed by
Amanda Stevens
Date: 2024.10.11
11:53:52 -07'00'

U.S. Probation Officer

Signed  _____
Probationer or Supervised Releasee

10/11/2024
Date